

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office NOV 1 1977

Returned to applicant for correction

Corrected application filed Map filed NOV 1 1977

The applicant Hugh A. Tipton and or Ruth A. Tipton

Box 4 of Winnemucca Street and No. or P.O. Box No. City or Town

Nevada 89445, hereby make application for permission to change the State and Zip Code No.

Place of use, and Point of Diversion

of water heretofore appropriated under Proof No. 01075

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is Cumberland, Layson and Goldrun Creeks Name of stream, lake or other source.

2. The amount of water to be changed 13.75 cfs Second feet, acre feet.

3. The water to be used for Irrigation and Hydraulic Mining If for stock state number and kind of animals.

4. The water heretofore used for Irrigation and Hydraulic Mining If for stock state number and kind of animals.

5. The water is to be diverted at the following point SW 1/4 SW 1/4 of Section 21, T34N, R40E, MDB&M, or at a point from which the SW corner of said section 21 Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be bears S 33° 19' W 624 feet. stated.

6. The existing point of diversion is located within NE 1/4 NE 1/4 Section 25; NE 1/4 NE 1/4 Section 24; T34N, R39E, MDB&M, SE 1/4 NE 1/4 Section 18, T34N, R40E, MDB&M. If point of diversion is not changed, do not answer.

7. Proposed place of use S 1/2 Section 4, T33N, R40E, MDB&M Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use Map under proof 01075, E 1/2 SE 1/4, SE 1/4 NW 1/4 section 20; Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated. SW 1/4 SW 1/4 Section 21 all in T34N, R40E, MDB&M.

9. Use will be from 1 March to 31 August of each year. Day and Month Day and Month

10. Use has been from 1 March to 31 August of each year. Day and Month Day and Month

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Water will be diverted through State manner in which water is to be diverted, whether by dam or other works, existing ditch with pipeline to be installed at later date whether through pipes, ditches, flumes, or other conduits.

- 12. Estimated cost of works.....\$1000.00.....
- 13. Estimated time required to construct works..... 3 years.....
- 14. Estimated time required to complete the application of water to beneficial use..... 5 years.....
- 15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Compared.....lp/ga.....js/se..... Applicant Hugh A. Tipton and or Ruth A. Tipton

By...s/ C.H. Ketcham
Ketcham Land Surveyors
P.O. Box 1098 - (702) 623-5419
Winnemucca, Nevada 89445

APPROVAL..... OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of Cumberland, Layson and Goldrun Creeks heretofore appropriated under claim of vested right as evidenced by Proof of Appropriation of Water 01075 is issued with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and measuring device must be installed at or near the point of diversion to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under this proposed change at any and all times. This permit is issued subject to any determination of the waters of Cumberland, Layson and Goldrun Creeks that may be made under adjudication proceedings under NRS 533.090 through 533.320.

Since the basis for this change application is an undetermined right, this permit is limited to that amount of water that has historically been placed to beneficial use.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....13.75.....cubic feet per second.....

Actual construction work shall begin on or before.....

Proof of commencement of work shall be filed before.....

Work must be prosecuted with reasonable diligence and be completed on or before..... July 2, 1989.....

Proof of completion of work shall be filed before..... August 2, 1989.....

Application of water to beneficial use shall be made on or before..... July 2, 1992.....

Proof of the application of water to beneficial use shall be filed on or before..... August 2, 1992.....

Map in support of proof of beneficial use shall be filed on or before..... August 2, 1992.....

Commencement of work filed..... JUN 15 1990.....
Completion of work filed..... JUN 15 1990.....
Proof of beneficial use filed..... AUG 28 1998.....
Cultural map filed..... AUG 28 1998.....
Certificate No. 15046 Issued OCT 23 1998
Recorded 15046 Bk..... Page.....

IN TESTIMONY WHEREOF, I PETER G. MORROS
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 2nd day of July
A.D. 1986
Peter G. Morros
State Engineer